

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 7

BOAZ BAGBAG,

Case No. 08-12667 (MEW)

Debtor.

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SUMMA CAPITAL CORP.,

**Adv. Proc. No. 20-1185
(MEW)**

Plaintiff,

v.

BOAZ BAGBAG,

Defendant.
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**ORDER TO SHOW CAUSE WHY BOAZ BAGBAG AND ABRAMS, FENSTERMAN,
FENSTERMAN, EISMAN, FORMATO, FERRARA, WOLF & CARONE, LLP SHOULD
NOT BE HELD IN CONTEMPT OF COURT**

On May 21, 2021 this Court entered a Scheduling Order and Temporary Restraining Order (the “TRO,” ECF Doc. # 31) which restrained Boaz Bagbag and his attorneys from taking any actions to pursue or to seek relief with respect to the Third, Fourth and Fifth Causes of Action asserted in that certain Second Amended Complaint dated May 14, 2020 filed in the Supreme Court of the State of New York, County of New York, under Index No. 161205/2020 (the “State Court Proceeding”).

Based on the application (the “Application”) filed by Plaintiff Summa Capital Corp. (“Summa”) in support of its Motion By Order To Show Cause For Contempt (ECF # 41) and the Amendment to the Motion (ECF # 42) it appears that Boaz Bagbag and his attorneys Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP may have taken actions which violate the TRO, including filing a cross-motion in the State Court Proceeding which seeks leave to interpose a pleading which includes the Third, Fourth and Fifth Causes of Action which they are enjoined from “taking any actions to pursue or to seek relief with respect

to” and including in the proposed second amended complaint the factual allegations which underlay the Third, Fourth and Fifth Causes of Action;

NOW, THEREFORE, Boaz Bagbag and Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP are ordered to show cause at a hearing to be held at **11:00 a.m. on June 9, 2021** (the “Hearing”), why they should not be held in contempt of court for violating the TRO. Any opposition to the relief sought shall be submitted, if in writing, by the close of business today, June 8, 2021, otherwise opposition may be made orally at the Hearing. At the Hearing, the Court will consider whether to impose sanctions for contempt including, but not limited to, any of the following: monetary sanctions, additional orders with respect to the State Court Proceeding, award of attorney’s fees to Summa. Counsel for Summa shall promptly serve a copy of this Order to show cause on Boaz Bagbag by e-mail to Christopher Gorman, Esq., who appeared in this proceeding as counsel for Boaz Bagbag (ECF # 37), and upon Abrams, Fensterman, Fensterman, Eisman, Formato, Ferrara, Wolf & Carone, LLP by email addressed to Christopher Gorman, Esq. and shall file a certificate of service.

Dated: New York, New York
June 8, 2021

/s/ Michael E. Wiles
THE HONORABLE MICHAEL E. WILES
UNITED STATES BANKRUPTCY JUDGE